## MAR 2 5 7004 EM March 24, 2004

## IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE

Re:

Our File:

055987-0002

Invention:

SUBMERGIBLE TERRARIUM

**Application No.:** 

10/664,949

Filed:

**September 22, 2003** 

**Country:** 

**United States** 

**Inventor:** 

**Theodorus Jozef Goossen** 

Examiner:

Charles T. Jordan

Art Unit:

3644

**Due Date:** 

**APRIL 4, 2004** 

The Commissioner of Patents and Trademarks P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir/Madams:

Agent for Applicant acknowledges receipt of Office Action dated March 4, 2004 and responds as follows:

## **Election/Restrictions**

Agent for Applicant respectfully requests that Species B as illustrated in Figures 5-11 be elected for prosecution on the merits, as required under 35 U.S. C. 121.

The following claims are generic and therefore read on Species B: Claims 1-8, 13 and 15-19. Claims 11 and 12 relate specifically to Species B. Claims 9, 10 and 14 relates to Species A. Therefore Applicant elects restriction of prosecution to claims 1-8, 11-13 and 15-19.

Applicant reserves the right to seek allowance of claims to Species A if one or more of said generic claims is deemed to be allowable.

## Conclusion

It is believed that this application is in condition for allowance and early notice thereof is respectfully requested.

Yours faithfully,

Engue Gierros la de Agent for Applicant

Eugene J.A. Gierczak

(Registration NO. 31,690)

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